

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANUEL MARTINEZ,

Plaintiff,

21MC102(AKH)

Docket No. 1:07-CV-04489

-against-

AMERICAN EXPRESS BANK LTD. ET AL
Defendant.

STIPULATION OF DISCONTINUANCE
as to Defendant **TACONIC INVESTMENT**
PARTNERS LLC only

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the Plaintiff to the above-entitled action and the attorney for the defendant Taconic Investment Partners LLC, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, as against the defendant Taconic Investment Partners LLC only, without prejudice, and without costs to either party as against the other.

IT IS HEREBY FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicates a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by the defendant in support of its request of discontinuance at this time, be discerned in the future to have been inaccurate, false or misleading, plaintiff may re-assert its claim against the said defendant by motion, stipulation or otherwise, and without the necessity of additional service or process, and in no event will said defendant raise any statute of limitations defense other than as may have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against the defendant.

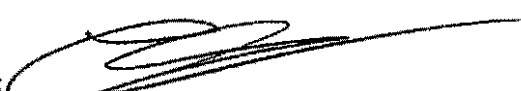
This Stipulation may be filed without further notice with the Clerk of the Court and the defendant will obtain, if necessary, any Judicial "SO ORDER" of this Stipulation and any other signatory, if necessary.

Dated: New York, New York
January 11, 2012

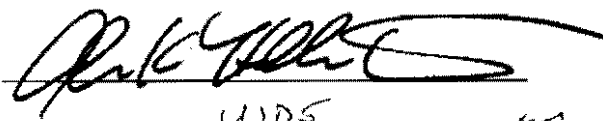
Howard D. Pariser, Esq.
Attorney for the Defendant
TACONIC INVESTMENT PARTNERS, LLC

By: 
Howard D. Pariser (HN3596)
60 East 42nd Street (46th Floor)
New York, NY 10165
Tel: 212-490-2190
Fax: 212-988-6967

Worby Groner Edelman & Napoli Bern LLP
Attorney for Plaintiff
MANUEL MARTINEZ

By: 
Christopher R. Lo Palo
350 Fifth Avenue
New York, NY 10118
Tel: 212-267-3700
Fax: 212-587-0031

SO ORDERED: 


UDDS